

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING, ROOM 113  
TUESDAY, OCTOBER 4, 2005  
10:00 A.M.**

Commissioners Present: Larry Hudkins, Chair  
Deb Schorr, Vice Chair  
Bernie Heier  
Ray Stevens  
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Don Thomas, County Engineer  
Roger Figard, City Engineer  
Kristy Mundt, Deputy County Attorney  
Trish Owen, Chief Deputy County Clerk  
Melissa Koci, County Clerk's Office

The Chair opened the meeting at 10:05 a.m.

**AGENDA ITEM**

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, SEPTEMBER 29, 2005**

**MOTION:** Workman moved and Heier seconded approval of the Staff Meeting minutes. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

**2 ADDITIONS TO THE AGENDA**

None were stated.

**3 FUNDING OPTIONS FOR THE JOINT PUBLIC AGENCY FOR RURAL TO URBAN ROADWAY TRANSITION STREETS PROGRAM AND EAST BELTWAY**

Hudkins reported the Board needs to find a way to get the funding put together for the Rural to Urban Transition for Streets Program (RUTS) and the East Beltway. He indicated a RUTS Program can be funded without creating a Joint Public Agency (JPA), however if certain funding options are used than a JPA would need to be created. Hudkins noted the Board left some monies in Keno that need to be designated and there is an additional \$600,000 in contingency. He also stated the County needs to settle with BryanLGH as they figure out how to pay for indigent care services.

Workman reported one of the suggestions was to look at the Railroad Transportation Safety District for a portion of the funding and said they have been funded at a rate of 2.6 cents per hundred. He noted the RTSD funds come out of the 15 cent lid and if the RTSD was reduced below 2.6 cents, there would be room to fund another project without raising taxes.

Roger Figard, City Engineer, appeared and indicated in 2006/2007, if the levy were reduced to 1.6, the tax revenue to the district would be reduced \$1.8 million. He said it would delay the SW 40<sup>th</sup> Street Project at least 2 years and the Hickman Project, 2 to 4 years. Figard noted the Long Range Transportation Plan and Comprehensive Plan Update will probably add some other projects.

Hudkins asked about SW 40<sup>th</sup> Street superceding Hickman.

Figard said the County Engineer indicated Hickman would be ready for construction in 2010 and also noted the County Board wanted the City Engineer to move up the SW 40<sup>th</sup> Street Project and not have it closed any longer than needed.

Dave Kroeker, Budget & Fiscal Officer, appeared and indicated the County can borrow from one fund to another, however they can't borrow monies from the RTSD.

Hudkins distributed documentation regarding an Interlocal Agreement with the RTSD (Exhibit A) and wondered why an interlocal agreement can't be drawn up between the City and County to fund a mechanism for RUTS and corridor protection.

Figard said the Board could take the design standards of the RUTS Program and approve it through an interlocal. He said the RTSD is managed by the City through a separate interlocal agreement between the RTSD and the City. The City and County will still have to come up with a revenue source to implement the program along with providing funding for corridor protection.

Schorr indicated she is in favor of the JPA because it removes the funding issue from it entirely.

Workman said the JPA is there to create a wheel tax in the County and stated he likes the RTSD, but reminded the Board that the RTSD is funded 15% by the County and 85% by the City.

Schorr said one of her concerns is the increase in wheel tax to the County residents and whether or not each County or Village would be able to get some of the monies back from the tax with the other monies going to the RUTS Program. She noted the City Council has the ability to set the wheel tax and they have already set increases in 2007 and 2010. Schorr wondered if Legislation could be changed to allow the County to implement a wheel tax that would be applicable to all residents outside the City limits.

Eagan said all cities and villages have the authority to implement a wheel tax and Lincoln is the only city that has done that. He noted with sales tax, the County has the ability to implement a County sales tax outside of the jurisdictions that haven't implemented their own sales tax.

Figard noted the City's wheel tax has a number of projects identified, directing how the funds are used and Lincoln needs to increase the City's wheel tax because they don't have enough money themselves. He said the County could choose in the language of the wheel tax how to earmark the funds, whether it be for RUTS, the East Beltway or whatever.

Kristy Mundt, Deputy County Attorney, appeared and indicated the County doesn't have the independent authority to allow the City to extend their wheel tax into the County and the JPA is the mechanism that allows the City to do so.

Workman said he would be willing to look at unmandated services next year along with temporary funds like Keno and contingency to get the ball going. He also likes the idea of the interlocal agreement and the wheel tax, but it depends on how the wheel tax is expended.

Hudkins is not in favor of forming a JPA, but would like the Board to explore a fuel tax to get more monies to fund the programs and maybe direct the County Attorney and City Attorney's Office to draw up an interlocal agreement.

Kroeker recommended to the Board to only use Keno money to fund RUTS, because the other monies are put away for employees who are taking early retirement.

Heier noted the County cannot afford \$2 million and he wants to know exactly where the money is coming from and how much will need to be put in by the County.

Stevens said he is in favor of forming a JPA because it could be used as a means of taxing under the 15% lid, however he would not be in favor of taking 1 cent from the RTSD, but maybe taking 1/4 of a cent. He also said he would be interested in taking money from the Rural Library, Rural Fire Districts and the Agricultural Society to fund the program. He feels Lincoln residents are not too excited about spending any more money on County roads.

Kroeker distributed documentation regarding Lancaster County's Levy Limit Form (Exhibit B) and indicated the County may allocate up to 15 cents, but cannot go over the 15 cent lid or the calculated levy of 45 cents. Kroeker also noted that the early retirements will be funded in next years budget.

**MOTION:** Workman moved and Heier seconded to have the County Attorney create a draft of an interlocal agreement similar to the RTSD to provide funding under the existing lid limits for the RUTS Program, and that the interlocal specifically exclude any expenditures within the city limits of Lincoln.

Schorr asked if the East Beltway was excluded and if any expenditures are within the City limits.

Workman noted the East Beltway was not included or excluded and when roads are annexed by the City of Lincoln, it's their responsibility of maintaining the road.

Stevens noted the County Engineer indicated the East Beltway is more important than the RUTS Program.

Figard said the current RUTS Agreement is the design standard to implement RUTS between the City and the County and the East Beltway is a piece of the legislation in the JPA. He said if an interlocal is entered into for RUTS, it has nothing to do with the East Beltway. He said the RUTS Program is a rural to urban design standard and doesn't have anything to do with corridor protection.

Don Thomas, County Engineer, appeared and said if the Board wants the RUTS Program only, the only thing in the program presently is 98<sup>th</sup> Street which is being designed and is paid for, so there is nothing to spend on RUTS at the present time.

**AMENDMENT TO MOTION:** Workman moved to include the East Beltway Corridor Protection.

Heier withdrew his second.

The motion died for a lack of a second.

**MOTION:** Stevens moved to adjourn the meeting.

The motion died for a lack of a second.

**MOTION:** Heier moved and Workman seconded to proceed with drawing up an interlocal agreement pursuant to the RUTS Program.

**AMENDMENT TO MOTION:** Workman moved and Heier seconded to include funding the RUTS Program through the property tax using the RTSD as a model. Workman, Heier and Hudkins voted aye. Stevens and Schorr voted no. Motion carried.

#### 4 ADJOURNMENT

**MOTION:** Heier moved and Workman seconded to adjourn the meeting at 11:49 a.m. Heier, Workman and Hudkins voted aye. Stevens and Schorr voted no. Motion carried.

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Bruce Medcalf  
Lancaster County Clerk